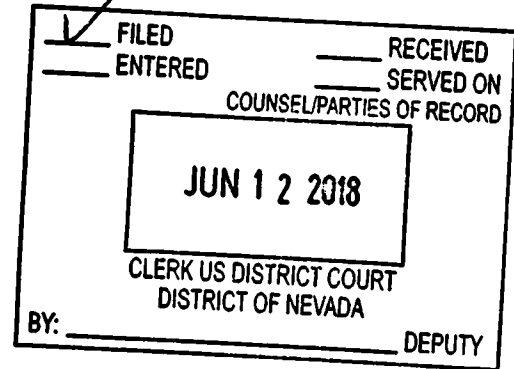


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Gloria Carpenter, Dante Famy,  
Dawn Jones, Michael Koehn,  
and Georges-Pele Taino*



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

*ORDER*

LANCE REBERGER,

Plaintiff,

v.

MICHAEL KOEHN, et al.,

Defendants

Case No. 3:15-cv-00468-MMD-VPC

**DEFENDANTS' MOTION FOR  
ENLARGEMENT OF TIME TO FILE  
DISPOSITIVE MOTION**

Defendants, Romeo Aranas, Gloria Carpenter, Dante Famy, Dawn Jones, Michael Koehn, and Georges-Pele Taino by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Benjamin R. Johnson, Deputy Attorney General, hereby move this Court for an enlargement of time to file and serve a dispositive motion. This Motion is based on the following Memorandum of Points and Authorities and all papers and pleadings on file herein.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION AND RELEVANT PROCEDURAL HISTORY**

On January 30, 2018, the Court issued a Scheduling Order setting the deadline for dispositive motions for May 30, 2018. (ECF No. 33). Counsel for defendants simultaneously have a motion for summary judgment due in another case, Case No. 3:14-cv-00313-MMD-VPC, that is due on June 1, 2018. Counsel has been busy preparing the dispositive motion and exhibits in that case and needs a short extension of time to complete the dispositive motion in this case.

1 FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

2 When an act may or must be done within a specified time, the court may,  
3 for good cause, extend the time: (A) with or without motion or notice if  
4 the court acts, or if a request is made, before the original time or its  
extension expires; or (B) on motion made after the time has expired if the  
party failed to act because of excusable neglect.

5 The proper procedure, when additional time for any purpose is needed, is to present a request for  
6 extension of time before the time fixed has expired. *Canup v. Mississippi Val. Barge Line Co.*, 31  
7 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a  
8 showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8  
9 F.R.D. 268 (N.D. Ohio 1947).

10 Defendants seek an enlargement of time to file a dispositive motion. There is a conflicting  
11 deadline with another case which does not allow for both motions to be fully briefed and filed in time.  
12 Good cause exists to extend the time to file this motion. Defendants do not seek this extension of time  
13 to prejudice Plaintiff or to cause undue delay. Plaintiff will not be prejudiced by a short extension of  
14 time, up to and including, June 13, 2018.

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1 **II. CONCLUSION**

2 Based on the foregoing, Defendants respectfully request their motion for enlargement of time is  
3 granted and the deadline for filing a dispositive motion be extended to June 13, 2018.

4 DATED this 30<sup>th</sup> day of May, 2018.

5 ADAM PAUL LAXALT  
6 Attorney General

7 By: Benjamin R. Johnson  
8 BENJAMIN R. JOHNSON  
9 Deputy Attorney General  
10 State of Nevada  
11 Bureau of Litigation  
12 Public Safety Division

13 *Attorneys for Defendants*

14 **APPROVED AND SO ORDERED:**

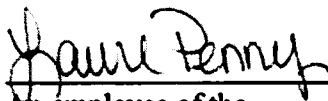
15 Valerie P. Pober  
16 U.S. MAGISTRATE JUDGE

17 DATED: June 12, 2018  
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**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 30<sup>th</sup> day of May, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE DISPOSITIVE MOTION**, to the following:

Lance Reberger #39494  
Ely State Prison  
P. O. Box 1989  
Ely, NV 89301

  
An employee of the  
Office of the Attorney General